

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25630 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- JAMOBABAZAR District- Siwan

Umesh Yadav Son of Ram Chandra Yadav Resident of Village - Barhoga
Yadu Ramu Ray Ke Tole, P.s.- Jamo Bazar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Prakash Singh, Adv.
For the Opposite Party/s	:	Mr. Raj Ballabh Singh, APP.
For the Informant	:	Mr. Akash Shankar, Adv.
	:	Mr. Gaurav Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 06-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks regular bail in connection with
Jamo Bazar P.S. Case No. 167 of 2021 lodged under Sections 147,
149, 341, 324, 323, 325, 307 & 302 of the Indian Penal Code.

As per the prosecution case, the informant has visited to
his land then 8 named accused persons of the same village were
ploughing the field. The informant has requested not to do the
same, upon which they all attacked on the informant side. The
allegation upon the petitioner is to assault the son of informant by
iron rod on his head repeatedly.

Learned counsel for the petitioner submits that this case
was initially lodged under Section 307 of I.P.C. read with other

provisions of I.P.C. but subsequently after about 1 month it was converted into Section 302 of the Indian Penal Code. He further submits that petitioner is in custody since 25.12.2021, charge sheet has already been filed and according to him antecedent of petitioner is clean.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant appeared in this case and vehemently opposes the prayer for bail and submits that learned counsel for the petitioner has suppressed before this Court about his criminal antecedents and place the record of two F.I.R's. i.e. Jamo Bazar P.S. Case No. 07 of 2020 and Jamo Bazar P.S. Case No. 52 of 2020 in which present petitioner namely Umesh Yadav is accused.

Considering the facts and circumstances of this case and the submissions made above and particularly on the ground of false statement before the Court about the criminal antecedent of petitioner, I am not inclined to grant bail to the petitioner, therefore, his bail application is hereby rejected.

(Dr. Anshuman, J.)

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